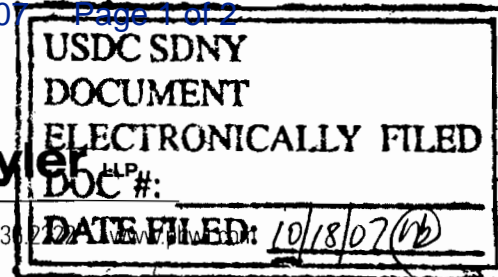
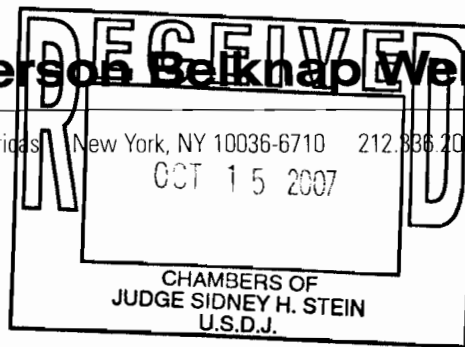


Patterson Belknap Webb & Tyler

1133 Avenue of the Americas New York, NY 10036-6710 212.336.2000 fax 212.336.2122



October 15, 2007

The Honorable Sidney H. Stein
U. S. District Court for the
Southern District of New York
New York, NY 10007

Re: Anne Bryant v. AB Droits Audiovisuels
No. 07 Civ. 6395 SHS (S.D.N.Y.)

Dear Judge Stein:

This firm represents three U.K. entities that received and accepted requests to waive service in this action—Loonland UK Ltd., TV Loonland Home Entertainment Ltd, and Metrodome Group P.L.C. ("the U.K. entities")—and I have filed my appearance on their behalf electronically. We also represent two of the parties named in the caption of this matter, Sunbow Productions, Inc. ("Sunbow") and Sony BMG Music Entertainment ("Sony BMG"), neither of which has received a request for waiver of service under Fed. R. Civ. P. 4(d) or been served. Plaintiff's counsel has refused my offer to accept service for Sunbow and Sony BMG, so I hereby notice my appearance for them by letter.

I write to ask Your Honor to re-set the Rule 16 Conference now scheduled for November 2, 2007, for a date before October 25, 2007, the date by which the U.K. entities are required to answer or make dispositive motions. Alternatively, I ask that Your Honor adjourn those dates until after the conference now scheduled for November 2.

Patrick Monaghan, plaintiff's counsel, and I have discussed a Rule 16 schedule proposed by Sunbow and Sony BMG, and we exchanged letters on the subject, both of which are attached as Exhibits A and B. In addition to rejecting my offer to accept service for Sunbow and Sony BMG, Mr. Monaghan rejected my proposed Rule 16 schedule, which would have allowed Sunbow and Sony BMG to make a res judicata/collateral estoppel motion at the outset of the case. Instead, he is following the "litigation strategy" described in his September 13 letter to Your Honor (attached as Exhibit C) of not serving or seeking waivers of process from the licensors/ indemnitors (such as Sunbow and Sony BMG) until for their licensees'/ indemnitees' time to answer

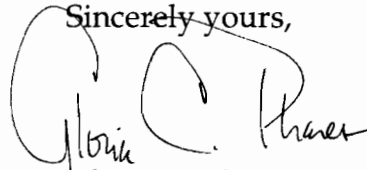
Gloria C. Phares
Partner
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Direct Fax (212) 336-7978
gcphares@pbwt.com

10/18/07
Conf. remains at Nov 2.
The time of the U.K. entities - as
defined in this letter - to answer on
move in response to the complaint is
adjoined since die. This will
be discussed at the 11/2/07
conference.
So ordered.
Sidney H. Stein
U.S.D.J.

The Honorable Sidney H. Stein
October 15, 2007
Page 2

or move has run. That strategy would require foreign parties with no contacts with this judicial district, no contractual relationship to plaintiff, and no familiarity with the five-year case in Rockland County to answer or otherwise respond on issues that might never have to be addressed if the parties with direct relationships to plaintiff – one of whom was a defendant in the Rockland County case – could first proceed with their res judicata/collateral estoppel motions.

We believe that the federal civil rules were intended to facilitate orderly and efficient civil litigation, but they are now being used to thwart that objective. We ask that Your Honor set a date for a conference before October 25. Alternatively, we ask that the Court adjourn the dates for the U.K. parties to respond until after the conference now scheduled for November 2.

Sincerely yours,

Gloria C. Phares

cc: Patrick J. Monaghan, Jr., Esq.) by email/pdf
Counsel for Plaintiff	
 Charles B. Ortner, Esq.)
Sandra A. Crawshaw-Sparks, Esq.) by email/pdf
Proskauer Rose LLP)
Counsel for Defendant Hasbro, Inc.	